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17638 U.S. PTO

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

227/04636.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/542600

INTERNATIONAL APPLICATION NO.

PCT/IL2004/000034

INTERNATIONAL FILING DATE

January 13, 2004

PRIORITY DATE CLAIMED

January 13, 2003

TITLE OF INVENTION

PHOTOACOUSTIC ASSAY METHOD AND APPARATUS

APPLICANT(S) FOR DO/EO/US

Benny PESACH et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). **UNEXECUTED**
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV042320028 US**
23. ☒ Other items or information:

1. Application Data Sheet

2. EXPRESS MAIL CERTIFICATE
3. ACKNOWLEDGEMENT POSTCARD

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | | |
|---|--------------|--|------|---|------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.51) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
| 10/542600 | | PCT/IL2004/000034 | | 227/04636 | |
| The | | | | CALCULATIONS | PTO USE |
| 24. <input checked="" type="checkbox"/> Basic national fee | | | | \$300 | \$ |
| 25. <input checked="" type="checkbox"/> Examination fee | | | | | |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) | | | | \$100 | \$ |
| All other situations | | | | \$200 | |
| 26. <input checked="" type="checkbox"/> Search fee | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority | | | | \$100 | |
| International Search Report prepared and provided to the Office | | | | \$400 | |
| All other situations | | | | \$500 | \$ |
| TOTAL OF 24, 25 and 26 = | | | | \$ | \$900.00 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | | RATE | |
| - 100 = | 0 | /50 = 0 | | x | \$ |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | \$130.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 62 - 20 = | 42 | x | \$50.00 | \$ |
| Independent claims | 2 - 3 = | 0 | x | \$200.00 | \$ |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + | | | | \$ | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | \$3,130.00 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | \$1,565.00 |
| SUBTOTAL = | | | | \$ | \$1,565.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | \$0.00 |
| TOTAL NATIONAL FEE = | | | | \$ | \$1,565.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + | | | | \$ | \$0.00 |
| TOTAL FEES ENCLOSED = | | | | \$ | \$1,565.00 |
| | | | | Amount to be | \$ |
| | | | | Amount to be | \$ |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-3419 in the amount of \$1,565.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-3419. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | | |
| <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>William H. Dippert, Esq. Wolf, Block, Schorr & Solis-Cohen LLP 250 Park Avenue New York, NY 10177 Tel: 212-986-1116</p> | | | | | |
| | | | | <p><i>Allan C. Entis</i> SIGNATURE Allan C. ENTIS NAME 52,866 REGISTRATION NUMBER</p> | |

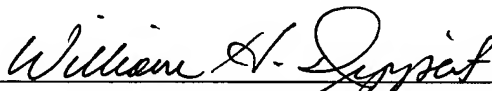
Certificate of Express Mail Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail under 37 CFR 1.10 on the date indicated below and is addressed to:

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Alexandria, VA 22313-1450

on July 12, 2005
Date

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Express Mail Label



William H. Dippert, Registration No. 26,723

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Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Applicant: Pinchas Shalev et al.
Serial No: To Be Assigned
Filing Date: July 12, 2005, herewith
For: Photoacoustic Assay Method And Apparatus
Enclosures: (1) Transmittal Letter to the United States Designated/Elected Office (3 pages); (2) Preliminary Amendment (13 pages); (4) International Publication WO 2004/062491 A1; (4) ADS (4 pages); (7) UNExecuted Declaration (1 page); (6) IPER; (7) Search Report; (8) Acknowledgement Postcard